

**FAIRFIELD CITY COUNCIL  
REGULAR MEETING AGENDA  
FAIRFIELD MUNICIPAL BUILDING  
5350 PLEASANT AVENUE  
FAIRFIELD, OHIO 45014**

**Monday, January 11, 2016**

**7:00 PM**

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MAYOR.....STEVE MILLER  
COUNCILMEMBER 1<sup>ST</sup> WARD.....ADAM B. JONES  
COUNCILMEMBER 2<sup>ND</sup> WARD.....CRAIG W. KELLER  
COUNCILMEMBER 3<sup>RD</sup> WARD.....DEBBIE PENNINGTON  
COUNCILMEMBER 4<sup>TH</sup> WARD.....TIM ABBOTT

COUNCILMEMBER AT-LARGE...CHAD OBERSON  
COUNCILMEMBER AT-LARGE...MIKE SNYDER  
COUNCILMEMBER AT-LARGE...BILL WOESTE  
CITY MANAGER.....MARK WENDLING  
CLERK OF COUNCIL.....ALISHA WILSON  
LAW DIRECTOR.....JOHN H. CLEMMONS

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Guidelines for Citizen Comments: Thank you for your interest and participation in city government. Fairfield City Council's Guidelines for Citizen Comments describe the rules for addressing City Council. The guidelines are posted in the Council Chambers.

ADA Notice: The City of Fairfield is pleased to provide accommodations to disabled individuals or groups and encourage full participation in city government. Should special accommodations be required, please contact the Clerk of Council at 867-5383 at least 48 hours in advance of the meeting.

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**1. Call to Order**

**2. Prayer/Pledge of Allegiance**

**3. Roll Call**

**4. Agenda Modifications**

**5. Executive Session Requests**

**6. Special Presentations and Citizen Comments**

- a) Chamber of Commerce Update

**7. Public Hearing(s)**

**8. Mayor/Council Reports**

**9. Approval of Minutes**

- a) Regular Meeting Minutes of December 14, 2015

**10. OLD BUSINESS**

- (A) **PARKS, RECREATION AND ENVIRONMENT COMMITTEE**  
**Debbie Pennington, Chairman;** Craig Keller, Vice Chairman; Tim Abbott, Member

- (1) Ordinance to authorize the City Manager to enter into a lease agreement with The Joe Nuxhall Miracle League Fields, Inc. for the operation of the Field of Dreams recreation complex on Groh Lane and a related easement modification agreement with A. Peter Groh and declaring an emergency.

- Motion – Amend
- Ordinance – Third Reading
- Motion – Adoption

**11. NEW BUSINESS**

- (A) **COMMUNITY & PUBLIC RELATIONS COMMITTEE**  
**Adam Jones, Chairman;** Bill Woeste, Vice Chairman; Debbie Pennington, Member

- (1) Simple Motion: Motion to approve Council Committee Assignments dated January 1, 2016.

(B) **PUBLIC WORKS COMMITTEE**

**Chad Oberson, Chairman;** Mike Snyder, Vice Chairman; Bill Woeste, Member

(1) Resolution declaring necessity of repairing sidewalks (including aprons).

- Motion – Read by Title Only (Optional)
- Resolution – First Reading

(2) Ordinance to authorize the City Manager to enter into a three (3) year contract with T.R. Gear Landscaping for the Grounds, Entryways and Landscaping Program.

- Motion – Read by Title Only (Optional)
- Resolution – First Reading

(C) **FINANCE & BUDGET COMMITTEE**

**Tim Abbott, Chairman;** Debbie Pennington, Vice Chairman; Craig Keller, Member

(1) Ordinance to amend Sections 181.03 and 181.05 of Ordinance No. 166-84, The Codified Ordinances of Fairfield, Ohio relative to the City of Fairfield Income Tax.

- Motion – Read by Title Only (Optional)
- Ordinance – First Reading
- Motion – Suspend Second and Third Readings
- Motion – Adoption

(2) Ordinance to amend Ordinance No. 107-15 entitled “An Ordinance to make estimated appropriations for the expenses and other expenditures of the City of Fairfield, Ohio, during a period beginning January 1, 2016, and ending December 31, 2016.”

\*Contractual Appropriations – \$69,525 for Grounds, Entryways and Landscaping Program

- Motion – Read by Title Only (Optional)
- Ordinance – First Reading
- Motion – Suspend Second and Third Readings
- Motion – Adoption

(3) Ordinance to amend Ordinance No. 107-15 entitled “An Ordinance to make estimated appropriations for the expenses and other expenditures of the City of Fairfield, Ohio, during a period beginning January 1, 2016, and ending December 31, 2016.”

\*Non-Contractual Appropriations – \$41,000 for purchase of three (3) thermal imaging cameras and fitness equipment through Assistance to Firefighters Grant (AFG) awarded to Fairfield Fire Department in 2015.

- Motion – Read by Title Only (Optional)
- Ordinance – First Reading
- Motion – Suspend Second and Third Readings
- Motion – Adoption

12. **Meeting Schedule**

Monday, January 25	Council-Manager Briefing, 6:00 p.m.; Regular Meeting, 7:00 p.m.
Monday, February 8	Council-Manager Briefing, 6:00 p.m.; Regular Meeting, 7:00 p.m.
Monday, February 22	Council-Manager Briefing, 6:00 p.m.; Regular Meeting, 7:00 p.m.

13. **Executive Session of Council (if needed)**

14. **Adjournment**

MINUTES  
REGULAR MEETING OF COUNCIL  
DECEMBER 14, 2015

**Call to Order**

Mayor Steve Miller called the Regular Meeting of Council to order at 7:00 PM at the Fairfield Municipal Building, 5350 Pleasant Avenue.

**Prayer/Pledge of Allegiance**

Councilmember Jones led in prayer and Pledge of Allegiance.

**Roll Call**

Clerk Wilson called the roll of Council. Present members were Councilmember Adam Jones, Councilmember Marty Judd, Councilmember Debbie Pennington, Councilmember Terry Senger, Councilmember Chad Oberson, Councilmember Mike Snyder, and Councilmember Bill Woeste.

**Agenda Modifications**

No agenda modifications.

**Executive Session Requests**

No executive session requests.

**Special Presentations and Citizen Comments**

**Oath of Office – Bryan Carnes and Reed Collier, Fairfield Police Department**

Councilmember Jones administered the Oath of Office to Police Officers Bryan Carnes and Reed Collier and welcomed them to the city. Chief Dickey welcomed them to the department and indicated the importance of police officers taking the oath of office publicly in front of the community they will serve. PO Carnes and Collier each thanked their families for their support and the city for the opportunity to serve.

**Chamber of Commerce Update**

Kert Radel, President of the Fairfield Chamber of Commerce, announced that The Bird Shop is celebrating 12 years of business in the city and Jeff Pohlman Tire and Auto Service are celebrating 25 years of business as a company, with locations in the city and surrounding communities. He also thanked Councilmembers Judd and Senger for their great relationship and support of the Chamber and the city's businesses.

Mayor Miller presented Councilmembers Judd and Senger each with a plaque and a Key to the City in recognition of their years of service on council. He thanked them for their contributions to the city and for all of the hard work they put in over the many years they have served. Councilmembers Judd and Senger each thanked their families for their support and the city for allowing them the opportunity to serve on council. They each stated that they have enjoyed getting to know the employees and learning about how the city runs while representing the residents of their wards.

## **Public Hearing(s)**

### **2016 Budget Hearing**

Mayor Miller opened the public hearing at 7:20 PM. Clerk Wilson read the public hearing notice. Finance Director Mary Hopton provided a brief overview of the proposed 2016 budget, which was reviewed in detail during the Council-Manager Briefings on November 23 and December 7. The balanced budget contains revenues of approximately \$73.8 million and expenditures of approximately \$72.6 million. She stated that 65% of revenues come from two main sources, Income Tax of 1.5%, which is estimated to bring in \$26.5 million, and charges for services (water, sewer, solid waste, etc.), which will account for approximately \$19.2 million. She stated that 47% of expenditures are accounted for in two main categories, public safety (police and fire) at \$17.9 million and public utilities at \$16 million. The outstanding level of debt is low-moderate at \$21 million, with \$6 million retiring in the next 5 years and the remaining \$15 million retiring within 15 years. Of the \$21 million, \$10 million is buildings and general improvements, \$8 million for road improvements, \$2.5 million for sewer improvements and the remaining \$0.5 million for water and special assessments. The reserve threshold is 25% of the general fund, which equates to approximately \$7 million. Mayor Miller closed the public hearing at 7:25 PM.

### **Mayor/Council Reports**

Councilmember Woeste thanked Development Services Director Bachman and his staff, as well as Chamber President Radel and his staff, for a great year in the business community of Fairfield.

Councilmember Snyder announced the fundraiser for Kyler Bradley that will be held at Skate America on Tuesday, December 15. The \$5 admission cost will be donated to the Bradley family. He also announced the One Way Farm fundraiser for gift cards, food, clothing and gas for transportation.

Councilmember Oberson thanked Councilmembers Judd and Senger for teaching him what he needs to know to be a good councilmember.

Councilmember Senger thanked his wife, Bambi, for her support of his service as Councilmember. He commended the Finance Department for their great work in maintaining the city finances through all of the difficult times.

Councilmember Pennington announced a holiday movie marathon at Lane Library on December 23 from 1-7 PM. She also thanked Councilmembers Judd and Senger for their dedication and service.

Councilmember Judd announced that the new water line on Pleasant Avenue is progressing on time and on budget.

Councilmember Jones announced that our police department has been on the forefront of the more stringent hiring practices proposed by the Ohio Attorney General's office. He also announced that Fire Lt Susanek and Taulbee have been accepted into a leadership program. The Fire department is also accepting donations for Toys for Tots at headquarters. He thanked Councilmembers Judd and Senger for their service.

### **Approval of Minutes**

Regular Meeting Minutes of December 7, 2015

- The Regular Meeting Minutes of December 7, 2015 were approved as written

## OLD BUSINESS

### **PARKS, RECREATION AND ENVIRONMENT COMMITTEE**

**Debbie Pennington, Chairman; Terry Senger, Vice Chairman, Marty Judd, Member**

Ordinance to authorize the City Manager to enter into a lease agreement with The Joe Nuxhall Miracle League Fields, Inc. for the operation of the Field of Dreams recreation complex on Groh Lane and a related easement modification agreement with A. Peter Groh and declaring an emergency.

Legislative Action: The third reading of this ordinance was held for further review and information.

## NEW BUSINESS

### **FINANCE & BUDGET COMMITTEE**

**Terry Senger, Chairman; Debbie Pennington, Vice Chairman, Chad Oberson, Member**

Councilmember Terry Senger, seconded by Councilmember Mike Snyder moved to read the following four (4) ordinances by title only. Motion Carried 7-0.

An Ordinance to make estimated appropriations for the expenses and other expenditures of the City of Fairfield, Ohio, during a period beginning January 1, 2016, and ending December 31, 2016.

Background: City Manager Wendling recommended an ordinance to make estimated appropriations for 2016. This is the annual budget ordinance and was reviewed in Council-Manager Briefings on November 23 and December 7. Legislative Action: Councilmember Senger presented the first reading of this ordinance.

Councilmember Terry Senger, seconded by Councilmember Debbie Pennington moved to suspend the rules requiring three (3) readings of this ordinance. Motion Carried 7-0. Councilmember Terry Senger, seconded by Councilmember Marty Judd moved to adopt . Motion Carried 7-0.

Councilmember Jones commented that he does not support the use of city funds as grants for non-profit organizations. He stated that he has been trying for several years to put a stop to this practice, and yet it continues. He said that the services offered are not used by all residents, and yet all residents are paying for them by issuing city-funded grants. He also stated that while he does not agree with the grants, he will not vote no and hold up the city's work.

Councilmember Oberson agreed with Councilmember Jones' statements.

Councilmember Judd stated that he doesn't understand why city-funded grants are such an issue when he was the only dissenting vote for another bronze sculpture outside of the Community Arts Center. He said that not funding the grants sends the message that if you have the money to go see a show, we have a nice sculpture to look at on your way in, but if you are sitting at home hungry, we don't care to help provide meals on wheels.

Councilmember Senger stated that the budget is very large and is balanced, and those grants provide some extra services that add to the quality of how well the city is run.

Councilmember Snyder stated that the grants allow the city to offer more services that add to the quality of life, rather than just the normal functioning of the city, and that by issuing grants, the city receives these services at a much lower rate than if the city provided the services directly.

ORDINANCE NO. 107-15. APPROVED 7-0.

Ordinance to amend Ordinance No. 108-15 entitled "An Ordinance to make estimated appropriations for the expenses and other expenditures of the City of Fairfield, Ohio, during a period beginning January 1, 2016, and ending December 31, 2016."

Councilmember Woeste recused himself from the vote on this ordinance, because he is a board member of the Fairfield Food Pantry.

Background: City Manager Wendling recommended an additional grant of \$5,000 for the Fairfield Food Pantry. This appropriation was separated from the original budget so that Councilmember Woeste could recuse himself to avoid any possible conflict of interest. Legislative Action: Councilmember Senger presented the first reading of this ordinance.

Councilmember Terry Senger, seconded by Councilmember Debbie Pennington moved to suspend the rules requiring three (3) readings of this ordinance. Motion Carried 6-0. Councilmember Terry Senger, seconded by Councilmember Mike Snyder moved to adopt . Motion Carried 4-2. ORDINANCE NO. 108-15. APPROVED 4-2, Councilmembers Jones and Oberson dissenting. Councilmember Woeste recused.

Ordinance providing for the issuance of \$63,680 of bonds by the City of Fairfield, Ohio to pay part of the cost of sidewalk repair in the city and declaring an emergency.

Background: City Manager Wendling recommended an ordinance to provide for the issuance of sidewalk bonds. This is an annual procedure that is part of the sidewalk repair program. Legislative Action: Councilmember Senger presented the first reading of this ordinance.

Councilmember Terry Senger, seconded by Councilmember Mike Snyder moved to suspend the rules requiring three (3) readings of this ordinance. Motion Carried 7-0. Councilmember Terry Senger, seconded by Councilmember Debbie Pennington moved to adopt . Motion Carried 7-0. ORDINANCE NO. 109-15. APPROVED 7-0.

Ordinance to amend Ordinance No. 109-14 entitled "An Ordinance to make estimated appropriations for the expenses and other expenditures of the City of Fairfield, Ohio, during a period beginning January 1, 2015, and ending December 31, 2015."

Background: City Manager Wendling recommended an ordinance to reconcile accounts. This will be the final reconciliation required to balance to year-end finances for the city. Legislative Action: Councilmember Senger presented the first reading of this ordinance.

Councilmember Terry Senger, seconded by Councilmember Chad Oberson moved to suspend the rules requiring three (3) readings of this ordinance. Motion Carried 7-0. Councilmember Terry Senger, seconded by Councilmember Chad Oberson moved to adopt . Motion Carried 7-0. ORDINANCE NO. 110-15. APPROVED 7-0.

**Meeting Schedule**

Clerk Wilson read the following meeting schedule:

- Monday, December 28 Oath of Office Ceremony, 6:00 p.m.
- Monday, January 11 Regular Meeting, 7:00 p.m.
- Monday, January 25 Council-Manager Briefing, 6:00 p.m.; Regular Meeting, 7:00 p.m.

**Executive Session of Council (if needed)**

No executive session.

**Adjournment**

The regular meeting adjourned at 7:50 PM.

ATTEST:

\_\_\_\_\_  
Clerk of Council

\_\_\_\_\_  
Mayor's Approval

Date Approved: \_\_\_\_\_

**CITY OF FAIRFIELD, OHIO  
CITY COUNCIL MEETING COMMUNICATIONS**

**ITEM:**

**DATE:** 11/23/15

It is necessary the City Council approve a lease with the The Joe Nuxhall Miracle League Fields, Inc., for the operation of the Field of Dreams recreation complex on Groh Lane and a related easement modification agreement with A. Peter Groh.

**FINANCIAL IMPACT:**

No financial impact.

**SYNOPSIS:**

In February 2012 the City Council authorized the City Manager to enter into an agreement with the Therapeutic Recreation for the Disabled, Inc. and the Fairfield Community Foundation, DBA Joe Nuxhall Character Education Fund for the construction and operation of the Field of Dreams recreation complex (Ordinance 10-12). Prior to the execution of the agreement, the Therapeutic Recreation for the Disabled, Inc., and the Fairfield Community Foundation, DBA Joe Nuxhall Character Education Fund made a decision to establish a separate 501 c 3 organization, The Joe Nuxhall Miracle League Fields, Inc., to operate the facility, therefore authorization is needed since the entities have changed and the Groh easement now needs to be modified.

**BACKGROUND:**

In February 2012, the City Council approved an agreement between the City of Fairfield, the Therapeutic Recreation for the Disabled, Inc. and the Fairfield Community Foundation, DBA Joe Nuxhall Character Education Fund for the construction and operation of the programs at the Hatton Park/Joe Nuxhall Miracle League Fields facility (Ordinance 10-12). Prior to the execution of the initial agreement, the Therapeutic Recreation for the Disabled, Inc., and the Fairfield Community Foundation, DBA Joe Nuxhall Character Education Fund established a separate 501 c 3 organization, The Joe Nuxhall Miracle League Fields, Inc., to provide for the day-to-day operations of the facility. There were no substantive changes from the initial agreement. The agreement is similar to those between the City and the youth baseball association, the youth soccer associations and the youth football associations; which operate youth sports programs on city property.

The Parks and Recreation Board reviewed this lease and easement modification at their November Board meeting.

**RECOMMENDATION:**

It is recommended that City Council authorize and direct the preparation of legislation authorizing the City Manager to enter into a lease with The Joe Nuxhall Miracle League Fields, Inc., for the operation of the Field of Dreams recreation complex on Groh Lane and an Easement Modification Agreement with A. Peter Groh. Suspension of the rules is requested in order to complete the recorded documentation prior to December 31, 2015.

**LEGISLATIVE ACTION:**

Suspension of Rules and Adoption Requested? YES  NO  If yes, explain above.

Emergency Provision Needed? YES  NO  If yes, explain above.

Prepared by: Bill  
Approved for Content by: Bill  
Financial Review (where applicable): Mary Ann  
Legal Review (where applicable): J. H. Clemmons  
Accepted for Council Agenda: Alisa Wilson

ORDINANCE NO. \_\_\_\_\_

ORDINANCE TO AUTHORIZE THE CITY MANAGER TO ENTER INTO A LEASE WITH THE JOE NUXHALL MIRACLE LEAGUE FIELDS, INC. FOR THE OPERATION OF THE FIELD OF DREAMS RECREATION COMPLEX ON GROH LANE AND A RELATED EASEMENT MODIFICATION AGREEMENT WITH A. PETER GROH.

BE IT ORDAINED by the Council of the City of Fairfield, Ohio, that:

Section 1. The City Manager is hereby authorized to enter into a lease with The Joe Nuxhall Miracle League Fields, Inc. for the operation of the Field of Dreams recreation complex on Groh Lane and a related easement modification agreement with A. Peter Groh in accordance with the lease and agreement on file in the office of the City Manager.

Section 2. This Ordinance shall take effect at the earliest period allowed by law.

Passed \_\_\_\_\_ Mayor's Approval \_\_\_\_\_

Posted \_\_\_\_\_

First Reading \_\_\_\_\_ Rules Suspended \_\_\_\_\_

Second Reading \_\_\_\_\_

Third Reading \_\_\_\_\_

ATTEST:

\_\_\_\_\_  
Clerk of Council

This is to certify that this Ordinance has been duly published by posting and summary publication as provided by Charter.

\_\_\_\_\_  
Clerk of Council

**CITY OF FAIRFIELD, OHIO  
CITY COUNCIL MEETING COMMUNICATION**

Item No. 11(A)(1)

January 11, 2016

Item

Formal recognition of Council Committee Assignments and Council appointments dated January 1, 2016.

Financial Impact

None

Synopsis/Background

Every two years, newly elected Councilmembers are seated and the Mayor makes new Council Committee assignments. The following assignments have been made by the Mayor and/or are recommended for approval by City Council:

**FINANCE & BUDGET COMMITTEE**

Chairman: Tim Abbott  
Vice Chairman: Debbie Pennington  
Member: Craig Keller

**VICE MAYOR**

2016: Tim Abbott  
2015: Bill Woeste

**PUBLIC SAFETY COMMITTEE**

Chairman: Craig Keller  
Vice Chairman: Tim Abbott  
Member: Chad Oberson

**OTHER ASSIGNMENTS**

**Parks & Recreation Board:** Debbie Pennington

**Planning Commission:** Bill Woeste

**Board of Zoning Appeals:** Mike Snyder

**PUBLIC UTILITIES COMMITTEE**

Chairman: Mike Snyder  
Vice Chairman: Chad Oberson  
Member: Adam Jones

**Fairfield/Hamilton Joint Advisory Task Force:**  
Steve Miller, Debbie Pennington, Mike Snyder

**Fairfield Youth Government Advisory Board:**  
Adam Jones, Tim Abbott

**COMMUNITY & PUBLIC RELATIONS**

Chairman: Adam Jones  
Vice Chairman: Bill Woeste  
Member: Debbie Pennington

**Community Improvement Corporation:**  
Tim Abbott

**OKI Regional Council of Government:**

Craig Keller

**OKI Regional Council of Governments (Alternate):** Mike Snyder

**PARKS, RECREATION & ENVIRONMENT COMMITTEE**

Chairman: Debbie Pennington  
Vice Chairman: Craig Keller  
Member: Tim Abbott

**Route 4 Improvement Implementation Committee:** Bill Woeste

**Butler County Advisory Health Council:** Adam Jones

**DEVELOPMENT SERVICES COMMITTEE**

Chairman: Bill Woeste  
Vice Chairman: Adam Jones  
Member: Mike Snyder

**Design Review Committee:** Chad Oberson

**Emergency Management Agency:** Steve Miller

**PUBLIC WORKS COMMITTEE**

Chairman: Chad Oberson  
Vice Chairman: Mike Snyder  
Member: Bill Woeste

**Cultural Arts Advisory Commission:**  
Debbie Pennington

**S.E.L.F (Supports to Encourage Low-Income Families):** Bill Woeste

Recommendation

It is recommended that City Council approve the Council appointments as outlined in this communication via simple motion of Council.

**LEGISLATIVE ACTION:**                      **SIMPLE MOTION**

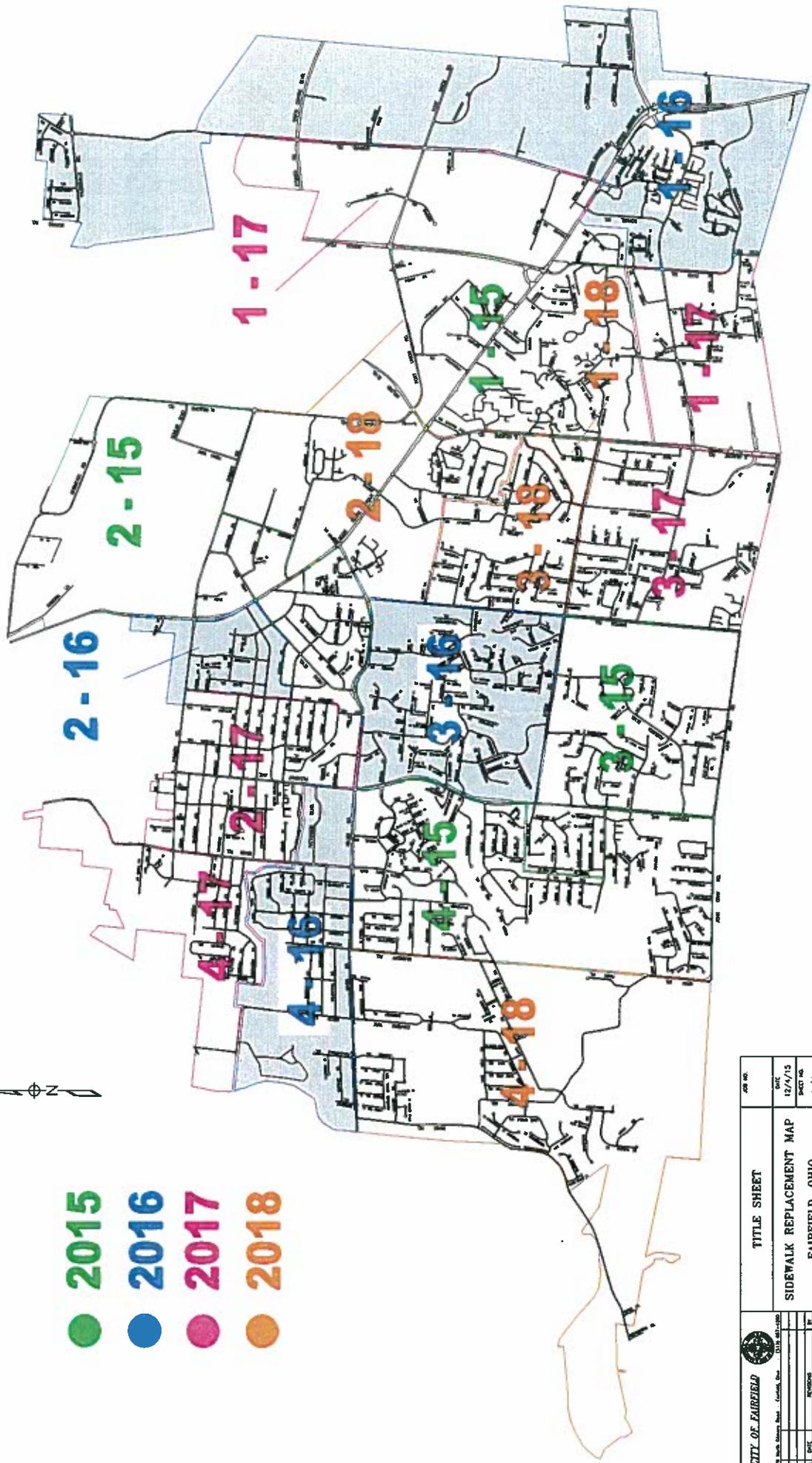
Prepared by: Kisha Wilson  
Approved for Content by: Kisha Wilson  
Financial Review (where applicable) by: Mary Ryan  
Legal Review (where applicable) by: John A. Clemmons  
Accepted by Council Agenda: Kisha Wilson



# Sidewalk Replacement Program



- 2015
- 2016
- 2017
- 2018



 <small>CITY OF FAIRFIELD</small> <small>1000 South Main Street - Fairfield, Ohio 43110-1001</small>	TITLE SHEET	
	SIDEWALK REPLACEMENT MAP FAIRFIELD, OHIO	
<small>DATE</small> 12/4/13	<small>DATE</small> 12/4/13	<small>DATE</small> 1/1
<small>BY</small> [Signature]	<small>BY</small> [Signature]	<small>BY</small> [Signature]
<small>APP'D</small> [Signature]	<small>APP'D</small> [Signature]	<small>APP'D</small> [Signature]

RESOLUTION NO. \_\_\_\_\_

RESOLUTION DECLARING NECESSITY OF REPAIRING SIDEWALKS  
(INCLUDING APRONS).

WHEREAS, the Public Works Director has heretofore prepared plans, specifications and an estimate of cost for the repair of certain sidewalks (including aprons) at the locations hereinafter set forth; and

WHEREAS, said plans, specifications and estimate of cost are now on file in the office of the Clerk of Council;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Fairfield, Ohio, that:

Section 1. It is necessary to repair certain sidewalks (including aprons) in the City of Fairfield, Ohio, at the addresses of the abutting properties which are shown in the cost estimates prepared by the Public Works Director and which cost estimates are on file in the office of the Clerk of Council and are incorporated herein by reference.

Section 2. The plans, specifications and estimate of cost for said repair now on file in the office of the Clerk of Council be and the same hereby are approved.

Section 3. The owners of each lot and parcel of land bounding and abutting upon the proposed sidewalks shall repair that portion of said sidewalks (including aprons) which abuts his/her property, in accordance with the plans and specifications now on file in the office of the Clerk of Council within thirty (30) days after service of notice of the passage of this resolution.

Section 4. In the event any such abutting property owner does not complete the repair of that portion of such sidewalks (including aprons) which abut his/her property in accordance with said plans and specifications and within the time period as hereinbefore prescribed, then this Council shall cause the same to be done and the entire cost thereof shall be assessed upon the property of such abutting property owner.

Section 5. The Clerk of Council be and she hereby is authorized and directed to serve notice of the passage of this resolution upon the owners of the lots and lands abutting upon said sidewalks (including aprons) in the manner provided by law.

Section 6. This Resolution shall take effect at the earliest period allowed by law.

Passed \_\_\_\_\_  
Posted \_\_\_\_\_  
First Reading \_\_\_\_\_  
Second Reading \_\_\_\_\_  
Third Reading \_\_\_\_\_

Mayor's Approval \_\_\_\_\_  
Rules Suspended \_\_\_\_\_

ATTEST:

\_\_\_\_\_  
Clerk of Council

This is to certify that this Resolution has been duly published by posting and summary publication as provided by Charter.

\_\_\_\_\_  
Clerk of Council

CITY OF FAIRFIELD, OHIO  
CITY COUNCIL MEETING COMMUNICATION

DATE: 1/11/2016

**ITEM:**

Landscaping Maintenance Contract Award

**FINANCIAL IMPACT:**

\$69,525.00 for the first year of the contract. Funding for this contract will be provided from the Capital Improvements Fund and is listed in the Capital Improvement Program as item PWA-15-008 Grounds, Entryways and Landscaping Program.

**SYNOPSIS:**

The Public Works Department advertised for bids on November 20, 2015 and November 27, 2015. Bids were opened on December 7, 2015 and six (6) proposals were received (see attached).

In review of the bids submitted the lowest and best bidder was T.R. Gear Landscaping.

The project is programmed in the current 2015-2019 CIP as PWA-15-008.

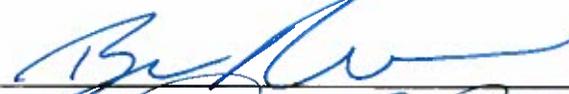
**BACKGROUND:**

The 2013-2015 contract was also with T.R. Gear Landscaping for a total contract of \$226,539 (\$75,513/year). The 2010-2012 contract was with T.R. Gear Landscaping for a total contract of \$233,757 (\$77,919/year). The recommended bidder is \$17,964 less than the current 3-year contract. The new contract will begin April 1, 2016. The three landscaping areas are Route 4 South (Seward Road to Woodridge Boulevard), Route 4 North (Symmes Road to the Railroad overpass), and Patterson Drive (Pleasant Avenue to River Road).

**RECOMMENDATION:**

It is recommended that City Council direct the legislation authorizing the City Manager to enter into a contract with T.R. Gear Landscaping for a three (3) year term. Funding is requested in the amount of \$69,525.00 from the Capital Improvements Fund for the first year of the contract.

<b>LEGISLATIVE ACTION: Suspension of Rules and Adoption Requested?</b>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>If yes, explain above.</b>
	<b>yes</b>	<b>no</b>	
<b>Emergency Provision Needed?</b>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>If yes, explain above.</b>
	<b>yes</b>	<b>no</b>	

Prepared by: 

Approved for Content by: 

Financial Review (where applicable): 

Legal Review (where applicable): 

Accepted for Council Agenda: 

11 (B)(2)A

**City of Fairfield**  
**Bid Tabulation for: Landscape and Maintenance**  
**Bid Opening: December 7, 2015, City of Fairfield Council Chambers**

<b>Qualified Property Services</b> 3324 Port Union Rd. Fairfield, OH 45014	<b>T.R. Gear Landscaping</b> 3300 Port Union Road Fairfield, OH 45014	<b>Davey</b> 6065 Guinea Pike Milford, OH 45150
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Description	Year 1	Year 2	Year 3	Year 1	Year 2	Year 3	Year 1	Year 2	Year 3
South Route 4 (South of Seward Rd.)	\$ 65,730.00	\$ 65,730.00	\$ 65,730.00	\$ 64,061.00	\$ 64,061.00	\$ 64,061.00	\$ 66,295.00	\$ 66,295.00	\$ 66,295.00
North Route 4 (North of Symmes Rd.)	\$ 3,395.00	\$ 3,395.00	\$ 3,395.00	\$ 3,178.00	\$ 3,178.00	\$ 3,178.00	\$ 5,805.00	\$ 5,805.00	\$ 5,805.00
Paterson Drive	\$ 1,875.00	\$ 1,875.00	\$ 1,875.00	\$ 2,286.00	\$ 2,286.00	\$ 2,286.00	\$ 3,640.00	\$ 3,640.00	\$ 3,640.00

*These bids will be reviewed by the Public Works Department and a recommendation will be made to Council. There is no guarantee that the contract will be awarded to the lowest bidder. Contracts are awarded to the bidder deemed to be the best and the lowest bidder.*

**City of Fairfield  
 Bid Tabulation for: Landscape and Main  
 Bid Opening: December 7, 2015, City of**

<b>Ohio Irrigation</b> 2109 E. Social Row Rd. Dayton, OH 45458	<b>Brickman</b> 4700 Duke Dr. Mason, OH 45040	<b>Groundspro LLC</b> 5155 Kieley Pl. Cincinnati, OH 45217
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Description	Year 1	Year 2	Year 3	Year 1	Year 2	Year 3	Year 1	Year 2	Year 3
South Route 4 (South of Seward Rd.)	\$ 34,500.00	\$ 36,250.00	\$ 38,000.00	\$ 78,798.00	\$ 78,798.00	\$ 78,798.00	\$ 72,393.45	\$ 72,393.45	\$ 72,393.45
North Route 4 (North of Symmes Rd.)	\$ 34,500.00	\$ 36,250.00	\$ 38,000.00	\$ 3,450.00	\$ 3,450.00	\$ 3,450.00	\$ 4,540.48	\$ 4,540.48	\$ 4,540.48
Paterson Drive	\$ 10,200.00	\$ 10,700.00	\$ 11,200.00	\$ 2,000.00	\$ 2,000.00	\$ 2,000.00	\$ 3,267.00	\$ 3,267.00	\$ 3,267.00

*These bids will be reviewed by the Public Work  
 will be made to Council. There is no guarantee  
 to the lowest bidder. Contracts are awarded to  
 and the lowest bidder.*

# Dixie Hwy & Patterson Dr Landscape Areas



ORDINANCE NO. \_\_\_\_\_

ORDINANCE TO AUTHORIZE THE CITY MANAGER TO ENTER INTO A THREE (3) YEAR CONTRACT WITH T.R. GEAR LANDSCAPING FOR THE GROUNDS, ENTRYWAYS AND LANDSCAPING PROGRAM.

BE IT ORDAINED by the Council of the City of Fairfield, Ohio, that:

Section 1. The City Manager is hereby authorized to enter into a three (3) year contract with T.R. Gear Landscaping for the grounds, entryways and landscaping program in accordance with the bid on file in the office of the City Manager.

Section 2. This Ordinance shall take effect at the earliest period allowed by law.

Passed \_\_\_\_\_ Mayor's Approval \_\_\_\_\_

Posted \_\_\_\_\_

First Reading \_\_\_\_\_ Rules Suspended \_\_\_\_\_

Second Reading \_\_\_\_\_

Third Reading \_\_\_\_\_

ATTEST:

\_\_\_\_\_  
Clerk of Council

This is to certify that this Ordinance has been duly published by posting and summary publication as provided by Charter.

\_\_\_\_\_  
Clerk of Council

**CITY OF FAIRFIELD, OHIO  
CITY COUNCIL COMMUNICATION**

**ITEM:**

January 11, 2016

Amendments to the Codified Ordinance Section 181 – Income Tax to be effective for taxable years beginning on or after January 1, 2016.

**FINANCIAL IMPACT:**

This amendment in Chapter 181 will have no financial impact to the City.

**SYNOPSIS:**

HB 5 was passed in December, 2014 changing the provisions of Chapter 718 of the ORC take effect January 1, 2016 and thereafter. The mandated requirements were passed by Council on November 23, 2015. Chapter 718 of the ORC continues to allow municipalities to exempt certain types of income, such as stock options. The City exempted taxation of stock option in 1998. After November 23rd, it was noted the exemption of stock options was not included in the revised ordinance. Also, a correction is needed for the period for filing amended returns.

**BACKGROUND:**

HB 5 was an ongoing issue for many years. The Ohio Society of CPA's as well as the Ohio Chamber of Commerce were heavily involved in the crafting of the language. The Ohio Municipal League and municipal tax representatives worked with the proponents of the HB 5 to make sure the changes had the least amount of financial impact to municipalities already hurting from State funding cuts. Fortunately, the concept of centralized state collection of local income tax was removed in the early stages of the discussions; however, there are still provisions with the 718 that will impact municipality funding. In order to preserve the unique items within the City's ordinance, the changes are required to be effective January 1, 2016.

**RECOMMENDATIONS:**

It is recommended that City Council adopt the changes to Section 181 – Income Tax, as submitted.

**LEGISLATIVE ACTIONS:**

Suspension of Rules & Adoption Requested?	Yes
Emergency Provision Needed?	No

Prepared by: Mary Hagan

Approved for Content by: Mary Hagan

Financial Review (where applicable) by: Mary Hagan

Legal Review (where applicable) by: John Clements

Accepted by Council Agenda: Alexa Wilson

ORDINANCE NO. \_\_\_\_\_

ORDINANCE TO AMEND SECTIONS 181.03 and 181.05 OF  
ORDINANCE NO. 166-84, THE CODIFIED ORDINANCES OF  
FAIRFIELD, OHIO RELATIVE TO THE CITY OF FAIRFIELD INCOME  
TAX.

BE IT ORDAINED by the Council of the City of Fairfield, Ohio, that:

Section 1. Sections 181.03 and 181.05 of Ordinance No. 166-84, The Codified  
Ordinances of Fairfield, Ohio are hereby amended effective January 1,  
2016 to read as follows:

See attached Exhibit "A" which is incorporated herein by reference.

Section 2. This Ordinance shall take effect at the earliest period allowed by law.

Passed \_\_\_\_\_  
Mayor's Approval \_\_\_\_\_

Posted \_\_\_\_\_

First Reading \_\_\_\_\_ Rules Suspended \_\_\_\_\_

Second Reading \_\_\_\_\_ Emergency \_\_\_\_\_

Third Reading \_\_\_\_\_

ATTEST:

\_\_\_\_\_  
Clerk of Council

This is to certify that this Ordinance has been duly published by posting and  
summary publication as provided by Charter.

\_\_\_\_\_  
Clerk of Council

EXHIBIT "A"

**181.03 IMPOSITION OF TAX.**

***[No changes to this section until Paragraph (e)(22)]***

(e) Exemptions. The tax provided herein shall not be levied upon:

.....

**(22) ANY COMPENSATION ARISING FROM THE GRANT, SALE, EXCHANGE OR OTHER DISPOSITION OF STOCK OPTION, THE EXERCISE OF A STOCK OPTION, OR THE SALE, EXCHANGE, OR OTHER DISPOSITION OF STOCK PURCHASED UNDER THE STOCK OPTION.**

**~~[(22)](23)~~ Generally the above noted items in this section are the only forms of income not subject to tax. Any other income, benefits or other forms of compensation shall be taxable.**

**(Ord. 98-15. Passed 11-23-15.)**

***[No further changes to this section.]***

**181.05 RETURN AND PAYMENT OF TAX.**

***[No changes to this section until Paragraph (r)(3)A.]***

(r) Amended Returns.

.....

**(3) A.** In the case of an overpayment, a request for refund may be filed under this division within the period prescribed by division ~~[(g) of Section 181.12 of this Chapter]~~ **(1)(B) OF THIS SECTION** for filing the amended return even if it is filed beyond the period prescribed in that division if it otherwise conforms to the requirements of that division. If the amount of the refund is ten dollars or less, no refund need be paid by the Municipality to the taxpayer. Except as set forth in division (3)(B) of this section, a request filed under this division shall claim refund of overpayments resulting from alterations to only those facts, figures, computations, or attachments required in the taxpayer's annual return that are affected, either directly or indirectly, by the adjustment to the taxpayer's federal or state income tax return unless it is also filed within the time prescribed in Section 181.11 of this Chapter. Except as set forth in division (3)(B) of this section, the request shall not reopen those facts, figures, computations, or attachments that are not affected, either directly or indirectly, by the adjustment to the taxpayer's federal or state income tax return.

***[No further changes to this section.]***

CITY OF FAIRFIELD, OHIO  
CITY COUNCIL COMMUNICATION

ITEM:

January 11, 2016

Request for appropriation for **contractual** agenda items

FINANCIAL IMPACT:

\$69,525.00 from noted funding source

SYNOPSIS:

The following appropriations have been requested to fund a contract appearing under New Business on Council's meeting agenda dated January 11, 2016:

\$69,525 for Grounds, Entryways and Landscaping Program

BACKGROUND:

Please refer to specific Council Communications dated January 11, 2016 for a description of these items.

RECOMMENDATIONS:

It is recommended that City Council suspend the rules requiring a second and third reading of this Ordinance and adopt the appropriations listed above.

LEGISLATIVE ACTIONS:

Suspension of Rules & Adoption Requested?

yes

If yes, explain  
no above

Emergency Provision Needed?

yes

If yes, explain  
no above

Prepared by: Heather Wilson

Approved for Content by: Heather Wilson

Financial Review (where applicable) by: Wayne Hays

Legal Review (where applicable) by: Scott Clemmons

Accepted by Council Agenda: Heather Wilson

ORDINANCE NO. \_\_\_\_\_

ORDINANCE TO AMEND ORDINANCE NO. 107-15 ENTITLED "AN ORDINANCE TO MAKE ESTIMATED APPROPRIATIONS FOR THE EXPENSES AND OTHER EXPENDITURES OF THE CITY OF FAIRFIELD, OHIO, DURING A PERIOD BEGINNING JANUARY 1, 2016, AND ENDING DECEMBER 31, 2016."

BE IT ORDAINED by the Council of the City of Fairfield, Ohio, that:

Section 1. Ordinance No. 107-15, the 2016 Appropriation Ordinance, is hereby amended in the following respects:

<b>From:</b>	<b>Unappropriated Capital Improvement Fund</b>	<b>\$69,525</b>
<b>To:</b>	40216025-252600 Grounds & Median Improvements <i>(2015 Grounds, Entry-ways &amp; Landscaping Program)</i>	\$69,525

Section 2. This Ordinance shall take effect at the earliest period allowed by law.

Passed	_____	_____
		Mayor's Approval
Posted	_____	
First Reading	_____	Rules Suspended _____
Second Reading	_____	
Third Reading	_____	

ATTEST:

\_\_\_\_\_  
Clerk of Council

This is to certify that this Ordinance has been duly published by posting and summary publication as provided by Charter.

\_\_\_\_\_  
Clerk of Council

CITY OF FAIRFIELD, OHIO  
CITY COUNCIL COMMUNICATION

ITEM:

January 11, 2016

Request for appropriation for non-contractual agenda items

FINANCIAL IMPACT:

\$41,000.00 from noted funding source

SYNOPSIS:

The following appropriations have been requested:

\$41,000 for purchase of three (3) thermal imaging cameras and fitness equipment through Assistance to Firefighters Grant (AFG) awarded to Fairfield Fire Department in 2015

BACKGROUND:

Please refer to specific Council Communications dated January 11, 2016 for a description of these items.

RECOMMENDATIONS:

It is recommended that City Council suspend the rules requiring a second and third reading of this Ordinance and adopt the appropriations listed above.

LEGISLATIVE ACTIONS:	Suspension of Rules & Adoption Requested?	<input checked="" type="checkbox"/>	<input type="checkbox"/> If yes, explain
		yes	no above
	Emergency Provision Needed?	<input type="checkbox"/>	<input checked="" type="checkbox"/> If yes, explain
		yes	no above

Prepared by: Alisia Wilson

Approved for Content by: Alisia Wilson

Financial Review (where applicable) by: Shawn Hynes

Legal Review (where applicable) by: [Signature]

Accepted by Council Agenda: Alisia Wilson

January 11, 2016

**City of Fairfield, Ohio  
City Council Communication**

**Item:**

Financial legislation to support the purchase of equipment awarded to the City of Fairfield Fire Department through the Assistance to Firefighters Grant (AFG) in 2015.

**Financial Impact:**

Funding in the amount of \$41,000 will be required to fund this project.

**Synopsis:**

The Fire Department made application to the Assistance to Firefighter Grant Program (AFG) in late November of 2014. In third quarter of 2015, the department was awarded a grant in the amount of \$174,862.00. The scope of the grant covered three projects: the purchase of three (3) power Ferno iNX power cots with accessory items, three (3) thermal imaging cameras, and enrollment costs for three individuals to become peer fitness trainers and fitness equipment.

Last year the funding necessary to proceed with the purchase of the three (3) iNX power cots was approved by City Council. At this time, we are requesting the additional funds necessary to finalize the purchase of the three (3) thermal imaging cameras, and the additional fitness equipment as part of the peer fitness training program. The two remaining purchases are \$36,000 for the purchase of the thermal imaging cameras and \$5,000 for the peer fitness program and equipment.

The AFG program is federally funded and does require the recipient to contribute 10% of the total cost of items purchased. The overall cost to the city will be approximately \$17,486.20 upon completion of the three phases.

**Recommendations:**

It is recommended that City Council adopt financial legislation in the amount of \$41,000 to finalize the 2015 Assistance to Firefighters Grant.

**Legislative Actions:** Suspension of Rules and Adoption Requested? Yes  No

Emergency Provision Needed? Yes  No

Prepared by:  Donald G. Bennett

Approved for Content by:  Donald G. Bennett

Approved Brian Rose: \_\_\_\_\_

Financial Review (where applicable) by: 

Legal Review (where applicable) by: 

Accepted for Council Agenda: 

ORDINANCE NO. \_\_\_\_\_

ORDINANCE TO AMEND ORDINANCE NO. 107-15 ENTITLED "AN ORDINANCE TO MAKE ESTIMATED APPROPRIATIONS FOR THE EXPENSES AND OTHER EXPENDITURES OF THE CITY OF FAIRFIELD, OHIO, DURING A PERIOD BEGINNING JANUARY 1, 2016, AND ENDING DECEMBER 31, 2016."

BE IT ORDAINED by the Council of the City of Fairfield, Ohio, that:

Section 1. Ordinance No. 107-15, the 2016 Appropriation Ordinance, is hereby amended in the following respects:

**From: Unappropriated Capital Improvement Fund \$41,000**

**To: 40216025-253200 Capital Equipment \$41,000**  
*(Purchase of 3 Thermal Imaging Cameras (\$36,000) and Fitness Equipment (\$5,000))*

Section 2. This Ordinance shall take effect at the earliest period allowed by law.

Passed \_\_\_\_\_ Mayor's Approval \_\_\_\_\_

Posted \_\_\_\_\_

First Reading \_\_\_\_\_ Rules Suspended \_\_\_\_\_

Second Reading \_\_\_\_\_

Third Reading \_\_\_\_\_

ATTEST:

\_\_\_\_\_  
Clerk of Council

This is to certify that this Ordinance has been duly published by posting and summary publication as provided by Charter.

\_\_\_\_\_  
Clerk of Council